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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

NANCY D. REYDA ET AL.

Serial No.: 09/834,382

Filed: April 12, 2001

For: SYSTEM AND METHOD FOR AN
INDEPENDENT RETAILER
BUSINESS-TO-BUSINESS
MARKET EXCHANGE

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JUL 2 8 2004

GROUP ART UNIT GROUP 3600

EXAMINER: YOGESH C. GARG

P.O. Box 6006
San Ramon, CA 94583-0806

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the restriction requirement mailed April 20, 2004. A two-month extension of time is filed concurrently with this response.

I hereby certify that I have a reasonable basis for believing that this correspondence will be deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner for Patents, P. O. Box 1450,
Alexandria, VA 22313-1450, on July 20, 2004
Date of Deposit

T. J. Hadlock
Name of applicant, assignee, or Registered Rep.
T. J. Hadlock 7-20-04
Signature Date

The claims of Group I are elected with traverse. The species of Claims 5 and 20 are elected with traverse. Claims 1-5, 11, 18-20, and 26 read on the elected species. The claims of Groups I, II, III and IV are intertwined. A proper examination of the Group I claims would necessitate a search in the area for Groups II, III and IV claims.

Groups I and II are not distinct subcombinations since promoting volume discount agreements in Group II is not a separate utility, but included within the scope of the services covered by Group I. Groups II and III are not distinct subcombinations since promoting electronic shopping of goods over a client-server architecture network in Group III is not a separate utility, but included within the scope of promoting volume discount agreements in Group II. Groups III and IV are not distinct subcombinations since displaying a brand promotion in Group IV is not a separate utility, but included within the scope of electronic shopping of goods over a client-server architecture network in Group III.

Applicants respectfully disagree that these three inventions are not highly materially related. It is believed a single search is appropriate to examine Groups I, II, III and IV claims. Accordingly, the Examiner's reconsideration is solicited and it is respectfully requested that the Restriction Requirement be withdrawn and all claims examined concurrently.

Respectfully submitted,



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July 20, 2004